

## Recommendation 71.2

Tanya Koshy [REDACTED]

Wed 10/23/2019 11:13 AM

[REDACTED]

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Dear Acting Captain Dorantes:

Our office has completed its review of the Recommendation 71.2 package that SFPD submitted as part of the collaborative reform process. Recommendation 71.2 is that SFPD should develop a general order review matrix predicated upon area of risk, operational need, and public concern to allow for timely update and review of prioritized orders.

After reviewing the package and information provided by SFPD, the California Department of Justice finds as follows:

Response to 71.2 package: SFPD has prepared a matrix that lists out the schedule for existing Department General Order (DGO) review, as well as other details, including the proposed revision date, the assigned General Order Leader, and any status update for each DGO (DGO Matrix Schedule). After DGOs are reviewed according to the DGO Matrix Schedule, they will be submitted for review/amendment every five years, pursuant to DGO 3.01.

Based on the above, Cal DOJ finds that SFPD is substantially compliant with this Recommendation. However, Cal DOJ recommends that SFPD find a mechanism to keep better track of the dates, tasks, and appropriate personnel for revising/amending existing DGOs. The DGO Matrix Schedule does not include the personnel assigned to lead the revision/amendment of several DGOs that are described as "in progress." Nor are there status updates every 60 days for several "in-progress" DGOs. A more robust, or regularly used Matrix Schedule, will enable SFPD to keep better track of assignments and deliverables.

Please let us know if you have any questions or would like to discuss this further. Thank you.

Tanya

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<b>Finding # 71</b>	<b>The SFPD does not have an effective process for the development and distribution of Department General Orders and Bulletins.</b>
<b>Recommendation # 71.2</b>	The SFPD should develop a general order review matrix predicated upon area of risk, operational need, and public concern to allow for timely update and review of prioritized orders.

<b>Recommendation Status</b>	<b>Complete</b>	<b>Partially Complete</b>	<b>In Progress</b>
	<b>Not Started</b>	<b>No Assessment</b>	

**Summary**

The SFPD has identified DGO 3.01 as being the vehicle that has established the process that supports timely updates of policies through calendaring such items with the Police Commission to improve the flow of development, review and approval. The department has established the matrix and has published the order. As for Compliance Measure 3, the review loop is not fully tested given the relatively recent passage of the DGO. However, the file is supported by a thoughtful structure and process which is indicative of an intention to adhere to the goals, as well as internal review and discussion about best practices and overall improvement on the flow of DGO updates and renewals. It also includes a demonstrated collaboration with the Police Commission and DPA which bodes well for an effective continuous improvement loop.

Compliance Measures		Status/Measure Met
<b>1</b>	Establish the matrix for review.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>2</b>	Publish a general order codifying the practices established under the recommendations for Finding 70.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>3</b>	Continuous improvement loop.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

**Administrative Issues**

The above recommendation will have a review finding of substantial compliance. However, the matrix falls short of an active document by which to manage DGO updates. It is not time bound. For example, reviews marked as 2018 have no further information, status or data attached. This does not comport with a robust tracking and advancement of DGO updates and review. We recommend highly that the SFPD establish time parameters on its matrix with status updates to ensure the process progresses as anticipated. Also as noted below, training should occur for the Written Directives Unit and for the SMEs in Operations that will be required to support the DGO update, renewal and drafting process. Identifying the goals, objectives, specific roles within the process and the time constraints for each stage would be very helpful to the SFPD in achieving its goals. Additionally, there is now monthly reporting to the PC regarding the status of pending orders.

**Compliance Issues**

The improvement loop is embryonic. The recommendation above under the administrative issue should help the department meets its goals and requirements under the new order.



## Collaborative Reform Completion Memorandum

**Finding # 71:** The SFPD does not have an effective process for the development and distribution of Department General Orders and Bulletins.

**Recommendation # 71.2:** The SFPD should develop a general order review matrix predicated upon area of risk, operational need, and public concern to allow for timely update and review of prioritized orders.

**Response Date:** 8/09/2019

**Executive Summary:** The mechanism by which this recommendation meets compliance is through the implantation of Department General Order 3.01- Written Communications. The process for updating is time consuming and inefficient. As such, it was proposed through recommendation 70.1 that we change the manner by which we update DGO's such that this can be accomplished through a General Change order that is calendared with the Police Commission as an action item thus substantially improving our workflow and the ability of the Police Commission to quickly and efficiently make decisions on these issues.

### **Compliance Measures:**

#### **1) Establish the matrix for review.**

-The Department developed a General Order Matrix, which will be the responsibility of the Written Directives Unit for the ongoing review of all General Orders as stated in DGO 3.01. The matrix which may be updated or amended based on litigation, legislation or contemporary issues. Furthermore, the Department is using an electronic system that accounts for all edits and recommended changes thereby maintaining accountability and integrity.

#### **2) Publish a general order codifying the practices established under the recommendations for Finding 70.**

As follows, 3.01 is the General Order by which the recommendations for Finding 70 are codified:

- 70.1: "The SFPD should work with the Police Commission to develop a nimble process for reviewing and approving existing and new Department General Orders that supports policing operations with codified, transparent policies."
  - This recommendation is met primarily through DGO 3.01.06 (D) which allows for a small amendment to a DGO by opening only the section amended. This meets the "nimble" requirement.
  - In addition, 3.01.02(G) provides for the review and approval of the DGO review matrix on no less than an annual bases by the President of the Police



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Commission. The Written Directives Unit will publish this to its website as it changes. This will ensure consistent communications and prioritization in partnership with the Commission, as well as allow for transparency in the prioritization and which policies are up for discussion.

-Finally, DGO 3.01 provides timelines for development and submission, review and approval. See sections 3.01.01(F) and 3.01.01(G)

- 70.2: "The SFPD should commit to updating all Department General Orders in alignment with current laws and statutes, community expectations, and national best practices every three years."
  - The Written Directives Unit maintains a General Order review matrix which may be updated or amended based on litigation, legislation or contemporary issues. The Written Directives Unit will provide an updated General Order review matrix to the President of the Police Commission, or designee, for approval as needed, but no less than once a year.
  - A General Order assigned for review/amendment shall be submitted to the Police Commission for adoption no later than five years from the date listed on the General Order and every five years thereafter.
  
- 70.3: "Prior to promulgation of policies and procedures, the SFPD should ensure that comments are sought from members and units most affected by any practice, policy, or procedure during the initial stages of development."
  - The Deputy Chief or Director of the bureau, division or unit most affected by the directive, shall assign a member to review and amend the General Order.
  - The assigned member shall solicit review by Commanding Officers, who shall seek input from their respective members, review stakeholder(s) recommendation(s) and meet with a representative of the Department of Police Accountability to exchange views on the proposed order and attempt to resolve any differences.
  
- 70.4: "Input and review from external stakeholders must be completed before implementation of the practice, policy, or procedure."
  - The Chief and Commission President identified DGO's that need external input through working groups.
  - The Chiefs identifies the lead from the department to organize the working group. The Chief and Commission President identify members of the public based on their expertise to be part of the working group.



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### **3) Continuous improvement loop.**

- The Written Directives Unit will provide an updated General Order review matrix to the President of the Police Commission, or designee, for approval as needed, but no less than once a year. A General Order assigned for review/amendment shall be submitted to the Police Commission for adoption no later than five years from the date listed on the General Order and every five years thereafter. This is codified in DGO 3.01 section 3.01.01(G).